

ENTERED

January 04, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

OSCAR NORIEGA, JR.,

Petitioner,

VS.

OSCAR RIVERA, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:23-CV-00242

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**


On November 29, 2023, United States Magistrate Judge Mitchel Neurock issued his “Memorandum and Recommendation of United States Magistrate Judge” (D.E. 7), recommending that this action be dismissed for failure to prosecute. Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s memorandum and recommendation (D.E. 7), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b).

ORDERED on January 4, 2024.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE